

Document #4982

11/19/87

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ADOPTED 11/19/87

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY
RE: TENTATIVE DESIGNATION OF JAMES CUSHMAN IN THE
CHARLESTOWN URBAN RENEWAL AREA
PROJECT NO. MASS. R-55
PARCEL R-59-C

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loan and capital grant with the Federal Government under Title 1 of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the Charlestown Urban Renewal Area, Project No. Mass. R-55, (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under said Title 1, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, James Cushman has expressed an interest in and has submitted a satisfactory proposal for the development of Parcel R-59-C at 38 Old Rutherford Avenue, Charlestown, in the Charlestown Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That James Cushman be and hereby is tentatively designated as Redeveloper of Parcel R-59-C at 38 Old Rutherford Avenue in the Charlestown Urban Renewal/Area subject to:
 - (a) Concurrence in the proposed disposal transaction by the Department of Housing and Urban Development;
 - (b) Publication of all public disclosure and issuance of all approvals required by the Massachusetts General Laws and Title I of the Housing Acts of 1949, as amended;
 - (c) Submission within two hundred and seventy (270) days in a form satisfactory to the Authority of:
 - (i) Evidence of the availability of necessary equity funds, as needed; and

- (ii) Evidence of firm financial commitments from banks or other lending institutions; and
- (iii) Final Working Drawings and Specifications; and
- (iv) Proposed development and occupancy schedule.

2. That disposal of Parcel R-59-C by negotiation is the appropriate method of making the land available for redevelopment and that the Director of the Authority be, and hereby is, authorized to execute a Land Disposition Agreement.
3. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.
4. That the developer be and hereby is authorized to petition the Board of Appeals for any zoning changes that may be necessary to complete the proposed development.
5. That the Secretary is hereby authorized and directed to publish notice of the proposed disposal transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, including information with respect to the "Redeveloper's Statement for Public Disclosure" (Federal Form H-6004).



PART I

KUC

REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE¹

A. REDEVELOPER AND LAND

1. a. Name of Redeveloper: James J. Cushman
- b. Address and ZIP Code of Redeveloper: 230 Bunker Hill Street
Charlestown, MA 02129
- c. IRS Number of Redeveloper: 570-60-3482
2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with, the purchase or lease of land from

Boston Redevelopment Authority
(Name of Local Public Agency)

in Charlestown Urban Renewal Area
(Name of Urban Renewal or Redevelopment Project Area)

is the City of Boston, State of Massachusetts
is described as follows²

Approx. 6,000 Sq. Ft. for Single Family Home Owner Occupied
Parcel R-59-C

3. If the Redeveloper is not an individual doing business under his own name, the Redeveloper is indicated below and is organized or operating under the laws of Not Applicable

- ☐ A corporation.
- ☐ A nonprofit or charitable institution or corporation.
- ☐ A partnership known as
- ☐ A business association or a joint venture known as
- ☐ A Federal, State, or local government or instrumentality thereof.
- ☐ Other (explain)

4. If the Redeveloper is not an individual or a government agency or instrumentality, give date of N/A

5. Names, addresses, title of position (if any), and nature and extent of the interest of the officers and principal shareholders, and investors of the Redeveloper, other than a government agency or instrumentality, are set follows N/A

¹If space on this form is inadequate for any requested information, it should be furnished on an attached page which is under the appropriate numbered item on the form.
²Any convenient means of identifying the land (such as block and lot numbers or street boundaries) is sufficient. Identification by metes and bounds or other technical description is acceptable, but not required.

- a. If the Redeveloper is a corporation, the officers, directors or trustees, and each stockholder owning more than 10% of any class of stock¹
- b. If the Redeveloper is a nonprofit or charitable institution or corporation, the members who constitute board of trustees or board of directors or similar governing body.
- c. If the Redeveloper is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.
- d. If the Redeveloper is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
- e. If the Redeveloper is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10%.

NAME, ADDRESS, AND ZIP CODE

POSITION TITLE (If any) AND PERCENT OF INTEREST OR DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

6. Name, address, and nature and extent of interest of each person or entity (not named in response to Item 5 who has a beneficial interest in any of the shareholders or investors named in response to Item 5 which gives such person or entity more than a computed 10% interest in the Redeveloper (for example, more than 20% of the stock in a corporation which holds 50% of the stock of the Redeveloper; or more than 50% of stock in a corporation which holds 20% of the stock of the Redeveloper)

NAME, ADDRESS, AND ZIP CODE

DESCRIPTION OF CHARACTER AND EXTENT OF INTEREST

Not Applicable

7. Names (if not given above) of officers and directors or trustees of any corporation or firm listed under Item 5 or Item 6 above:

N/A

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

(The Redeveloper is to furnish the following information, but only if land is to be redeveloped or rehabilitated in whole or in part for residential purposes.)

¹ If a corporation is required to file periodic reports with the Federal Securities and Exchange Commission under Section of the Securities Exchange Act of 1934, so state under this Item 5. In such case, the information referred to in this Item and in Items 6 and 7 is not required to be furnished.

1. State the Redeveloper's estimates, exclusive of payment for the land, for:

- a. Total cost of any residential redevelopment. \$130,000
- b. Cost per dwelling unit of any residential redevelopment. \$
- c. Total cost of any residential rehabilitation \$
- d. Cost per dwelling unit of any residential rehabilitation \$

2. a. State the Redeveloper's estimate of the average monthly rental (if to be rented) or average sale price (if to be sold) for each type and size of dwelling unit involved in such redevelopment or rehabilitation.

TYPE AND SIZE OF DWELLING UNIT	ESTIMATED AVERAGE	ESTIMATED AVERAGE
	MONTHLY RENTAL	SALE PRICE

Not Applicable

b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals.

N/A

c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in foregoing estimates of sales prices.

N/A

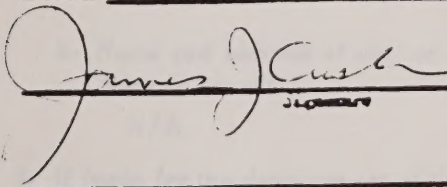
CERTIFICATION

I (We)¹ James J. Cushman

certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) and belief.²

Dated: October 26, 1987

Dated: _____



Signature

Signature

Title

230 Bunker Hill Street
Charlestown, MA 02129

Address and ZIP Code

Address and ZIP Code

¹ If the Redeveloper is an individual, this statement should be signed by such individuals; if a partnership, by one of its partners; if a corporation or other entity, by one of its chief officers having knowledge of the facts required by this statement.
² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or not more than five years, or both, for knowingly and willfully making or using any false writing or document the name to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any of the United States.

REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Official Use of the Local Public Agency and the Department of Housing and Urban Development. Do
Transmit to HUD Unless Requested or Item 3b is Answered "Yes.")

1. a. Name of Redeveloper: James J. Cushman

b. Address and ZIP Code of Redeveloper: 230 Bunker Hill Street, Charlestown,
MA 02129

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect
the purchase or lease of land from

Boston Redevelopment Authority

(Name of Local Public Agency)

in Charlestown Urban Renewal Area

(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of Massachusetts
is described as follows:

(Parcel R-59-C) Single Family Owner Occupant

3. Is the Redeveloper a subsidiary of or affiliated with any other corporation or corporations or any other
or firms? ☐ YES ☒ NO

If Yes, list each such corporation or firm by name and address, specify its relationship to the Redeveloper
and identify the officers and directors or trustees common to the Redeveloper and such other corporate
firm.

4. a. The financial condition of the Redeveloper, as of N/A, 19
is as reflected in the attached financial statement.

(NOTE: Attach to this statement a certified financial statement showing the assets and the liabilities
including contingent liabilities, fully itemized in accordance with accepted accounting standards and
based on a proper audit. If the date of the certified financial statement precedes the date of this
submission by more than six months, also attach an interim balance sheet not more than 60 days old.)

b. Name and address of auditor or public accountant who performed the audit on which said financial
statement is based:

N/A

5. If funds for the development of the land are to be obtained from sources other than the Redeveloper's
funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land

N/A

6. Sources and amount of cash available to Redeveloper to meet equity requirements of the proposed unde

a. In banks:

<u>NAME, ADDRESS, AND ZIP CODE OF BANK</u>	<u>AMOUNT</u>
City of Boston Credit Union - Acc.#41583-1	\$12,000.
First Mutual of Boston - Acc.#17415018674	4,000.
Stock Market	15,000.

b. By loans from affiliated or associated corporations or firms:

<u>NAME, ADDRESS, AND ZIP CODE OF SOURCE</u>	<u>AMOUNT</u>
N/A	\$

c. By sale of readily salable assets:

<u>DESCRIPTION</u>	<u>MARKET VALUE</u>	<u>MORTGAGES OR LIENS</u>
N/A	\$	\$

7. Names and addresses of bank references:

City of Boston Credit Union, One City Hall Sq., Boston, MA 02108(#41583)
 First Mutual of Boston, Three Center Plaza, Boston, MA(#17415018674)

8. a. Has the Redeveloper or (if any) the parent corporation, or any subsidiary or affiliated corporation of Redeveloper or said parent corporation, or any of the Redeveloper's officers or principal members, holders or investors, or other interested parties (as listed in the responses to Items 5, 6, and 7 of Redeveloper's Statement for Public Disclosure and referred to herein as "principals of the Redevel been adjudged bankrupt, either voluntary or involuntary, within the past 10 years? ☐ YES ☒ NO

If Yes, give date, place, and under what name.

b. Has the Redeveloper or anyone referred to above as "principals of the Redeveloper" been indicted or convicted of any felony within the past 10 years? ☐ YES ☒ NO

If Yes, give for each case (1) date, (2) charge, (3) place, (4) Court, and (5) action taken. Attach any explanation deemed necessary.

9. a. Undertakings, comparable to the proposed redevelopment work, which have been completed by the Redeveloper or any of the principals of the Redeveloper, including identification and brief description each project and date of completion:

N/A

- b. If the Redeveloper or any of the principals of the Redeveloper has ever been an employee, in a supervisory capacity, for construction contractor or builder on undertakings comparable to the proposed redevelopment work, name of such employee, name and address of employer, title of position, and brief description work:

N/A

10. Other federally aided urban renewal projects under Title I of the Housing Act of 1949, as amended, in which the Redeveloper or any of the principals of the Redeveloper is or has been the redeveloper, or a stockholder, officer, director or trustee, or partner of such a redeveloper:

N/A

11. If the Redeveloper or a parent corporation, a subsidiary, an affiliate, or a principal of the Redeveloper participates in the development of the land as a construction contractor or builder:

- a. Name and address of such contractor or builder:

N/A

- b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder refused to enter into a contract after an award has been made, or failed to complete a construction or development contract? ☐ YES ☒ NO

If Yes, explain:

- c. Total amount of construction or development work performed by such contractor or builder during the three years: \$ N/A.

General description of such work:

- d. Construction contracts or developments now being performed by such contractor or builder:

N/A

IDENTIFICATION OF
CONTRACT OR DEVELOPMENT

LOCATION

AMOUNT
\$

DATE TO BE
COMPLETED

a. Outstanding construction contract bids of such contractor or builder:

AWARDING AGENCY

AMOUNT

CITY OF NEW YORK

N/A

12. Brief statement respecting equipment, experience, financial capacity, and other resources available to such contractor or builder for the performance of the work involved in the redevelopment of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

N/A

13. a. Does any member of the governing body of the Local Public Agency to which the accompanying bid or proposal is being made or any officer or employee of the Local Public Agency who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

- b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public official of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal? ☐ YES ☒ NO

If Yes, explain.

14. Statements and other evidence of the Redeveloper's qualifications and financial responsibility (other than the financial statements referred to in Item 4a) are attached hereto and hereby made a part hereof as follows:

See attached letter - Newworld Bank

CERTIFICATION

I (We), James J. Cushman

certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of the Redeveloper's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.²

Dated: October 26, 1987

Dated: _____

James J. Cushman
Signature

Signature

Title

Title

230 Bunker Hill Street
Charlestown, MA 02129
Address and ZIP Code

Address and ZIP Code

1. If the Redeveloper is a corporation, this statement should be signed by the President and Secretary of the corporation; if an individual, by each individual; if a partnership, by one of the partners; if an entity not having a president and secretary, by one of its chief officers having knowledge of the financial status and qualifications of the Redeveloper.
2. Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or term of not more than five years, or both, for knowingly and willfully making or using any false writing or document, in the same to contain any false, fictitious or fraudulent statement or entry in a matter within the jurisdiction of any Department or Agency of the United States.

DISCLOSURE STATEMENT CONCERNING BENEFICIAL INTEREST
REQUIRED BY SECTION 40J OF CHAPTER 7 OF THE GENERAL LAWS

- (1) Location: (Parcel R-59-C)
38 Old Rutherford Avenue, Charlestown
- (2) Grantor or Lessor: Boston Redevelopment Authority
- (3) Grantee or Lessee: James J. Cushman
- (4) I hereby state, under the penalties of perjury, that the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in the above listed property are listed below in compliance with the provisions of Section 40J of Chapter 7 of the General Laws (see attached Statute).

NAME AND RESIDENCE OF ALL PERSONS WITH SAID BENEFICIAL INTEREST:

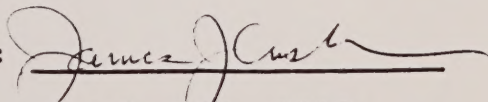
James J. Cushman

230 Bunker Hill Street

Charlestown, MA 02129

- (5) The undersigned also acknowledges and states that none of the above listed individuals is an official elected to public office in the Commonwealth of Massachusetts, nor is an employee of the State Department of Capitol Planning and Operations.

SIGNED under the penalties of perjury.

Signed: 

Date: October 26, 1987

DISCLOSURE STATEMENT

Any person submitting a development proposal to the City of Boston must truthfully complete this statement and submit it prior to being formally designated for any project.

1. Do any of the principals owe the City of Boston any monies for incurred real estate taxes, rents, water and sewer charges or other indebtedness?

NO

2. Are any the principals employed by the City of Boston? If so, in what capacity (Please include name of agency or department and position held in that agency department).

NO

3. Have any of the principals previously owned any real estate? If so, when, and what type of property?

NO

4. Were any of the principals ever the owners of any property upon which the City of Boston foreclosed for his/her failure to pay real estate taxes or other indebtedness?

NO

5. Have any of the principals ever been convicted of any arson related crimes currently under indictment for any such crimes?

NO

6. Have any of the principals been convicted of violating any law, code, statute or ordinance regarding conditions of human habitation within the last three years?

NO

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS
26th Day of October, 19 87

SIGNATURE:

ADDRESS:

230 Bunker Hill Street
Charlestown, MA 02129

MEMORANDUM

NOVEMBER 19, 1987

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: JOHN LEIGH, ASSISTANT DIRECTOR,
JAMES ENGLISH, DEPUTY DIRECTOR,
LAWRENCE BROPHY, SENIOR PLANNER,
HARBOR PLANNING AND DEVELOPMENT

SUBJECT: CHARLESTOWN URBAN RENEWAL
MASS. PROJECT R-55
TENTATIVE DESIGNATION OF REDEVELOPER
PARCEL R-59-C

SUMMARY: MEMORANDUM REQUESTING THAT TENTATIVE DESIGNATION
BE GRANTED ON PARCEL R-59-C, A 5,953 SQUARE FOOT
PARCEL, LOCATED AT 38 OLD RUTHERFORD AVENUE IN
CHARLESTOWN

As you are aware, the Boston Redevelopment Authority authorized the advertisement of Parcel R-59-C, a 5,953 square foot parcel located at 38 Old Rutherford Avenue in Charlestown, on May 15, 1986. The Charlestown Neighborhood Council subsequently reviewed the Request for Proposal, held a public hearing, and approved its format. The parcel was then advertised in the Charlestown Patriot and the Boston Globe on October 2, 1987 and October 9, 1987. The competition was open until October 30, 1987, at which time one proposal was submitted.

The Authority staff has reviewed that proposal and found that Mr. James Cushman of 230 Bunker Hill Street in Charlestown, submitted a proposal which meets the Authority's requirements. Mr. Cushman is a life-long Charlestown resident, and will be a first-time homeowner. He has designed a home which is sympathetic to the architectural fabric of Charlestown. Finally, the Charlestown Neighborhood Council, as a matter of policy, does not make recommendations or take action on dispositions involving less than four dwelling units.

Therefore, it is recommended that Mr. James Cushman, 230 Bunker Hill Street in Charlestown, be granted tentative designation as redeveloper of Parcel R-59-C a 5,953 square foot parcel located at 38 Old Rutherford Avenue in the Charlestown Urban Renewal area.

An appropriate resolution is attached: